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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Trinity)

In re B.T., a Person Coming Under the Juvenile Court
Law.

C077709

THE PEOPLE,

(Super. Ct. No. 14JU0022)

Plaintiff and Respondent,

v.

B.T.,

Defendant and Appellant.

Appointed counsel for minor B.T. has asked this court to review the record to determine whether there exist any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*); *In re Kevin S.* (2003) 113 Cal.App.4th 97, 119 [*Wende* procedure applies to appeals in juvenile delinquency cases].) Finding no arguable error that would result in a disposition more favorable to minor, we will affirm the juvenile court's orders.

Minor was 14 years old at the time of the disposition hearing. Before minor left to live with his father, in the fall of 2013, he lived with his 11-year-old brother R.T., their 9-year-old sister M.T., their 18-year-old sister, and their mother.

According to R.T., the minor was “very bad, very bad.” He threw a mirror at his mother’s leg, would sometimes kick R.T. “in the balls,” taught R.T. how to masturbate, and gave R.T. lotion and made him “have sex with porn.”

When M.T. was “around 7 or 8” minor gave her a “bad touch.” He touched her vagina with his penis. His penis went inside her “a little bit.” The minor did this to her in his room at night while everyone else was asleep. M.T. thought minor did this to her more than once. M.T. also put her mouth on minor’s penis. She did not know whether she did this more than once. Her mouth was still while minor’s hands were pushing on the back of her head.

The mother described an incident on September 9, 2013, where she argued with minor after finding he had recorded pornographic movies from their satellite television service. Minor broke the front door during the argument. He tried to leave on his bicycle, but she held onto the handlebars. The minor pulled on the handlebars while hitting and kicking her, causing her to receive “a bunch of bruises.” The minor eventually slammed his mother against the wall and took the bike. When she said he had hurt her, minor replied that he was trying to kill her.

The Butte County Juvenile Court sustained allegations in a delinquency petition (Welf. & Inst. Code, § 602) that the minor committed two counts of lewd or lascivious acts on a child under 14 (Pen. Code, § 288, subd. (a)) and misdemeanor battery (Pen. Code, § 242). The case was transferred to Trinity County after minor moved there with his father.

The disposition report noted minor was diagnosed with ADHD (attention deficit hyperactivity disorder), bipolar disorder, and oppositional defiant disorder. His mother said he needed “constant supervision.” The father, who gained custody of minor in the late fall of 2013, said raising him was a “daily challenge.” Minor’s academic record revealed an “alarming amount of disciplinary referrals” for repeated instances of violent and inappropriate behavior. Minor started smoking marijuana in the third grade and

started drinking alcohol in the fifth grade. He had stopped drinking but continued to use marijuana. Minor denied any wrongdoing with M.T. or R.T., saying his mother made up the allegations to get his social security money. He also claimed that his mother always yelled, cussed, threw objects at, and beat him. Minor told the probation officer it was “stupid to be put on probation for nothing at all, no proof just coached statements.”

The juvenile court declared minor a ward of the court, committed him to juvenile hall for 270 days pending placement, with credit for two days, set a maximum term of confinement of ten years two months, and placed him on juvenile probation. Among the terms of probation was a sex offender treatment program.

We appointed counsel to represent minor on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Minor was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from minor. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to the minor.

DISPOSITION

The judgment is affirmed.

RENNER, J.

We concur:

NICHOLSON, Acting P. J.

MURRAY, J.